

ORIGINAL

Edward O. Sassower (ES 5823)

KIRKLAND & ELLIS LLP  
Citigroup Center  
153 East 53rd Street  
New York, New York 10022-4611  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

CALPINE CORPORATION, ET AL.,

Reorganized Debtors.

MARK DALEY,

Appellant,

v.

CALPINE CORPORATION, ET AL.,

Appellees.

)  
)  
) Chapter 11

)  
) Case No. 05-60200 (BRL)

) Jointly Administered  
)  
)

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) Case No. 08-cv-03880 (DAB)

) ECF Case  
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NOTICE OF MOTION TO ADMIT COUNSEL *PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Edward O. Sassower, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Anthony J. Casey  
Firm name: Kirkland & Ellis  
Address: 200 East Randolph Drive  
City / State / Zip: Chicago, IL 60601  
Phone Number: (312) 861-2000  
Fax Number: (312) 861-2200

FILED  
U.S. DISTRICT COURT  
2008 MAY -2 PM 4:33  
S.D.N.Y.

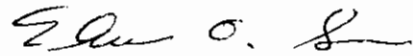
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4690679-524  
08-05-06

Anthony J. Casey is a member in good standing of the Bar of the States of Illinois and New York. There are no pending disciplinary proceedings against Anthony J. Casey in any State or Federal court.

Dated: May 2, 2008

New York, New York



Edward O. Sassower (ES 5823)

KIRKLAND & ELLIS LLP  
Citigroup Center  
153 East 53rd Street  
New York, New York 10022-4611  
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Attorney for the Reorganized Debtors

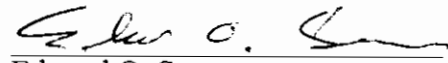


6. Accordingly, I am pleased to move the admission of Anthony J. Casey, *pro hac vice*.
7. In support of this motion, I submit the Certificates of Good Standing of Anthony J. Casey, which are attached hereto as Exhibit A.
8. I respectfully submit a proposed order gaining the admission of Anthony J. Casey, *pro hac vice*, which is attached hereto as Exhibit B.

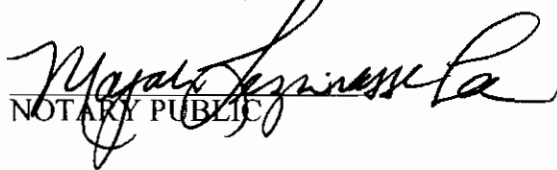
WHEREFORE it is respectfully requested that the motion to admit Anthony J. Casey, *pro hac vice*, to represent Reorganized Debtors in the above-captioned matter, be granted.

Dated: May 2, 2008  
New York, New York

Respectfully submitted,

  
Edward O. Sassower

Sworn to before me  
the 2nd day of May, 2008

  
NOTARY PUBLIC

MAGALI L. LEE  
Notary Public, State of New York  
No. 01LE6069014  
Qualified in New York County  
Commission Expires Jan. 22, 2010

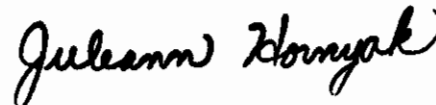
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Anthony Joseph Casey

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 6, 2003 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Wednesday, April 30, 2008.



Clerk

**Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department**

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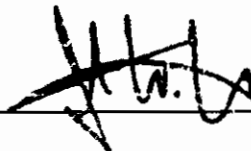
I, John M. McConnell, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

**ANTHONY JOSEPH CASEY**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on the 7th day of July, 2005 has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my  
hand and affixed the seal of this court on

April 30, 2008

A handwritten signature in black ink, appearing to read "J.M. McConnell", is written over a horizontal line.

Clerk of the Court

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

CALPINE CORPORATION, ET AL.,

### Reorganized Debtors.

MARK DALEY,

Appellant,

**V.**

CALPINE CORPORATION, *ET AL.*,

Appellees.

### **ORDER FOR ADMISSION *PRO HAC VICE* ON WRITTEN MOTION**

Upon the motion of Edward O. Sassower attorney for the Reorganized Debtors  
and said sponsor attorney's affidavit of support:

**IT IS HEREBY ORDERED** that

Applicant's Name: Anthony J. Casey

Firm Name: Kirkland & Ellis

Address: 200 East Randolph Drive

City / State / Zip: Chicago, IL, 60601

**Telephone / Fax: (312) 861-2000; (312) 861-2200**

Email Address: [acasey@kirkland.com](mailto:acasey@kirkland.com)

is admitted to practice *pro hac vice* as counsel for the Reorganized Debtors in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case

Filing (EFC) system, counsel shall immediately apply for an ECF password at [www.nysd.uscourts.gov](http://www.nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated:

New York, New York

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United States District Judge



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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) Case No. 08-cv-03880 (DAB)

) ECF Case  
)  
)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )

) ss.:

COUNTY OF NEW YORK )

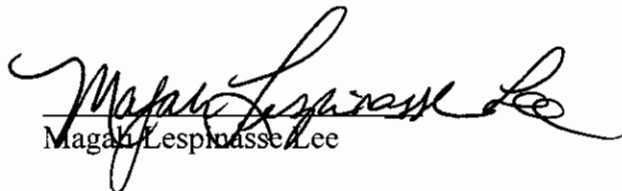
Magali L. Lee, being duly sworn, deposes and says: I am not a party to the within action, am over 18 years of age and reside in New York, New York.

On the 2nd day of May, 2008, I caused to be served a true copy of the Notice of Motion to Admit Counsel *Pro Hac Vice* to the party listed below by overnight courier.

David Wander, Esq.  
Wander & Associates, P.C.  
641 Lexington Avenue, 21st Floor  
New York, NY 10022

Sworn to before me this  
2nd day of May, 2008

Notary Public

  
Magali Lespinaisse Lee

BETH FRIEDMAN LURIE  
NOTARY PUBLIC, State of New York  
No. 4783035  
Qualified in Nassau County  
Commission Expires Sept. 30, 2011